

**MONDAY, APRIL 17, 2017**

**TWENTY-SIXTH LEGISLATIVE DAY**

The House met at 5:00 p.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Pastor Aaron Swain, Victory Baptist Church, Sevierville, TN .

Representative Faison led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present..... 88

Representatives present were Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, Doss, Dunn, Eldridge, Faison, Farmer, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Swann, Terry, Thompson, Tillis, Travis, Van Huss, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 88

**EXCUSED**

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Favors; personal

Representative Powers; personal

Representative Towns; personal

**PRESENT IN CHAMBER**

Reps. DeBerry, Jones, Powers, Ragan and Turner were recorded as being present in the Chamber.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 297** Reps. Stewart, Mitchell, Jones, Jernigan, Gilmore, Love and Beck as prime sponsors.

**House Joint Resolution No. 328** Reps. H. Brooks, Forgety, Faison, Farmer and Goins as prime sponsors.

**House Joint Resolution No. 331** Rep. Hawk as prime sponsor.

**House Joint Resolution No. 332** Rep. Hawk as prime sponsor.

**House Joint Resolution No. 333** Rep. Hawk as prime sponsor.

**House Joint Resolution No. 335** Rep. Hawk as prime sponsor.

**House Bill No. 44** Reps. Ragan, Staples and Hardaway as prime sponsors.

**House Bill No. 300** Reps. Terry, Ragan and Hardaway as prime sponsors.

**House Bill No. 306** Reps. Ragan, Daniel and Reedy as prime sponsors.

**House Bill No. 322** Reps. Byrd, Whitson, Kane, Weaver, Gravitt, Hazlewood, Carter, McCormick, Holsclaw, Rogers, Terry, Fitzhugh, Ragan, Thompson, Hardaway, Zachary, Staples, Camper, Curcio, Akbari, Butt, Eldridge, Hicks, H. Brooks, Parkinson, Powers, Williams, M. White and Daniel as prime sponsors.

**House Bill No. 383** Reps. Gant, Hardaway, Powell, Staples, Clemmons, Akbari and Camper as prime sponsors.

**House Bill No. 439** Reps. Hardaway and M. White as prime sponsors.

**House Bill No. 480** Reps. Pitts, Gilmore, Jernigan, Windle and Hardaway as prime sponsors.

**House Bill No. 566** Reps. Terry, Daniel, Ragan and M. White as prime sponsors.

**House Bill No. 590** Rep. Ragan as prime sponsor.

**House Bill No. 689** Reps. Terry, Hardaway, Powers, Holsclaw, M. White, Windle, Ragan, Zachary, Curcio, Weaver, Faison, Hicks, Williams, Lamberth, Moody, Butt, Eldridge, Crawford, Sherrell, T. Hill, Carter and Kumar as prime sponsors.

**House Bill No. 781** Rep. Hardaway as prime sponsor.

**House Bill No. 873** Reps. Parkinson, Gilmore, Staples, Camper, M. White, Love, Clemmons and Hardaway as prime sponsors.

**House Bill No. 937** Rep. Hardaway as prime sponsor.

**House Bill No. 1014** Rep. Hardaway as prime sponsor.

**House Bill No. 1017** Reps. Doss, Eldridge, Gant, Lamberth, M. White, Byrd and Sherrell as prime sponsors.

**House Bill No. 1338** Reps. Staples and Miller as prime sponsors.

**House Bill No. 1405** Reps. Zachary, Sherrell, Gant and Reedy as prime sponsors.

## **PERSONAL ORDERS**

### **RECOGNITION IN THE WELL**

Representative Faison was recognized in the Well to introduce the Christian Academy of the Smokies High School Choir who sang "The Star Spangled Banner" and "God Bless the USA."

### **RECOGNITION IN THE WELL**

Representative Akbari was recognized in the Well to honor Dr. Altha Stewart, President-elect of the American Psychiatric Association.

## **RESOLUTION READ**

The Clerk read House Joint Resolution No. 204, adopted March 13, 2017.

**House Joint Resolution No. 204** -- Memorials, Professional Achievement - Dr. Altha Stewart, President-elect of American Psychiatric Association. by \*Akbari, \*Camper, \*Coley, \*Cooper, \*Hardaway, \*Lollar, \*Miller, \*Parkinson, \*Thompson, \*Towns, \*Turner, \*White M, \*Alexander, \*Beck, \*Brooks H, \*Brooks K, \*Byrd, \*Calfee, \*Carr, \*Carter, \*Casada, \*Crawford, \*Daniel, \*Doss, \*Dunn, \*Eldridge, \*Faison, \*Farmer, \*Favors, \*Fitzhugh, \*Forgety, \*Gant, \*Goins, \*Gravitt, \*Halford, \*Harwell, \*Hawk, \*Hazlewood, \*Hicks, \*Hill M, \*Hill T, \*Holsclaw, \*Howell, \*Hulsey, \*Jernigan, \*Johnson, \*Jones, \*Kane, \*Keisling, \*Kumar, \*Lamberth, \*Littleton, \*Love, \*Lynn, \*Marsh, \*Matheny, \*Matlock, \*McCormick, \*McDaniel, \*Mitchell, \*Moody, \*Pitts, \*Powell, \*Powers, \*Ramsey, \*Reedy, \*Rogers, \*Rudd, \*Sanderson, \*Sargent, \*Sexton C, \*Sexton J, \*Shaw, \*Sherrell, \*Smith, \*Sparks, \*Staples, \*Stewart, \*Swann, \*Terry, \*Tillis, \*Travis, \*VanHuss, \*White D, \*Whitson, \*Williams, \*Windle, \*Wirgau, \*Zachary.

### RECOGNITION IN THE WELL

Representative Littleton was recognized in the Well to honor Molly Hudgens recipient of the Citizen's Honor Award.

### RESOLUTION READ

The Clerk read House Resolution No. 66, adopted March 13, 2017.

**House Resolution No. 66** -- Memorials, Recognition - Molly Hudgens, Citizen's Honor Award. by \*Littleton.

### RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for April 19, 2017:

**House Joint Resolution No. 338** -- Memorials, Interns - Justin D. Lowe. by \*Rudd, \*Alexander, \*Gravitt, \*Hill T, \*Keisling, \*Rogers, \*Weaver, \*Moody, \*Byrd, \*Butt.

**House Joint Resolution No. 339** -- Memorials, Recognition - Nashville State Community College - Donelson campus. by \*Jernigan.

**House Joint Resolution No. 340** -- Memorials, Death - Harry Wampler. by \*Matlock, \*Calfee, \*Forgety, \*Carr .

**House Joint Resolution No. 341** -- Memorials, Death - Linda Schoolfield Elam. by \*Sanderson, \*Wirgau, \*Holt.

**House Joint Resolution No. 342** -- Memorials, Recognition - Anna Lee Brown Alexander. by \*Beck.

**House Joint Resolution No. 343** -- Memorials, Recognition - Nashville State Community College - Madison/Rivergate campus. by \*Beck.

### SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution listed was noted as being placed on the Consent Calendar for April 19, 2017:

**Senate Joint Resolution No. 314** -- Memorials, Recognition - St. Paul's Episcopal Church, 125th anniversary. by \*Ketron.

**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**Senate Bill No. 149** -- School Transportation - As introduced, places restrictions on receiving school bus driver license endorsements or being hired as a school bus driver for drivers who have committed serious traffic violations, including excessive speeding or reckless driving. - Amends TCA Title 49, Chapter 6, Part 21 and Title 55. by \*Haile, \*Bowling, \*Briggs, \*Crowe, \*Gardenhire, \*Jackson, \*Massey, \*Niceley, \*Norris, \*Watson, \*Yager. (\*HB89 by \*Rogers)

**\*Senate Bill No. 297** -- Workers Compensation - As introduced, revises various provisions of the Workers' Compensation Law. - Amends TCA Title 50, Chapter 6. by \*Briggs. (HB666 by \*Hill M)

**\*Senate Bill No. 401** -- Teachers, Principals and School Personnel - As introduced, increases the money teachers receive for classroom instruction materials from \$200 to \$400. - Amends TCA Title 49, Chapter 3. by \*Gresham, \*Kelsey, \*Crowe, \*Niceley, \*Roberts, \*Tate, \*Yager. (HB457 by \*Littleton, \*Cooper)

**\*Senate Bill No. 517** -- Election Laws - As introduced, revises provisions governing the use of mobile electronic and communication devices at polling places. - Amends TCA Section 2-7-142. by \*Kelsey. (HB1040 by \*Camper)

**Senate Bill No. 568** -- Annexation - As introduced, deletes the limitation allowing non-contiguous annexation by resolution to occur only in a county having a population according to the most recent decennial census that is greater than 44.5 percent and 50,000 of its population in the preceding decennial census. - Amends TCA Title 6, Chapter 51, Part 1. by \*Johnson. (\*HB552 by \*Carr )

**Senate Bill No. 723** -- Education - As introduced, requires the Tennessee financial literacy commission to post its annual report on the website of the department of the treasury. - Amends TCA Title 49. by \*Overbey, \*Tracy, \*Bailey, \*Bowling, \*Briggs, \*Crowe, \*Gresham, \*Kelsey, \*Niceley, \*Stevens, \*Yager. (\*HB538 by \*Smith, \*McCormick, \*Lamberth)

**\*Senate Bill No. 1087** -- Utilities, Utility Districts - As introduced, makes various changes to the Municipal Energy Authority Act, including expanding the application of the chapter beyond just municipalities that have adopted home rule and authorizing authorities created pursuant to resolution by such municipalities to provide gas, water, and wastewater services. - Amends TCA Title 7. by \*Stevens. (HB1290 by \*Sanderson)

**Senate Bill No. 1418** -- Education - As introduced, requires the council to prepare an annual report on the amount of money spent to meet the purposes of the Tennessee council for career and technical education. - Amends TCA Title 49, Chapter 11, Part 2. by \*Tracy, \*Bowling. (\*HB1412 by \*Brooks H)

**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 1445** -- Williamson County -- House Local Government Committee

**House Bill No. 1446** -- Williamson County -- House Local Government Committee

**House Bill No. 1447** -- Liberty -- House Local Government Committee

**House Bill No. 1448** -- Liberty -- House Local Government Committee

**House Bill No. 1449** -- Tracy City -- House Local Government Committee

**House Bill No. 1450** -- Gallatin -- House Local Government Committee

**House Bill No. 1451** -- Gallatin -- House Local Government Committee

**CONSENT CALENDAR**

**House Bill No. 817** -- Boards and Commissions - As introduced, authorizes the governor to appoint persons to fill positions on certain boards from lists of nominees submitted by interested groups, instead of requiring appointments to be made from such lists. - Amends TCA Title 63, Chapter 13, Part 2; Title 63, Chapter 13, Part 3 and Title 63, Chapter 23, Part 1. by \*Howell, \*Sexton C.

On motion, House Bill No. 817 was made to conform with **Senate Bill No. 240**; the Senate Bill was substituted for the House Bill.

**House Bill No. 1425** -- Kenton - Subject to local approval, requires purchases or contracts of more than \$500 to be approved by the governing body; requires expenditures or contracts of more than \$10,000 to be made only after sealed bids have been invited. - Amends Chapter 87 of the Private Acts of 1981. by \*Sanderson.

**House Bill No. 1159** -- Lottery, Charitable - As introduced, redefines "nonprofit organization" for purposes of qualifying to have an annual gaming event to include a 501(c)(3) organization that has been in continuous existence in this state for three years and is a dues paying member of a separate 501(c)(3) organization that has been in existence in this state for 10 years. - Amends TCA Title 3, Chapter 17. by \*Littleton.

On motion, House Bill No. 1159 was made to conform with **Senate Bill No. 924**; the Senate Bill was substituted for the House Bill.

**House Bill No. 781** -- Criminal Offenses - As introduced, expands the definition of "material" relative to sexual exploitation of children to include any computer image, or computer-generated image, whether made or produced by electronic, mechanical, or other means. - Amends TCA Title 39, Chapter 17. by \*Littleton.

**\*House Bill No. 480** -- TennCare - As introduced, requires managed care organizations participating in the TennCare program to annually report to the bureau of TennCare certain information regarding treatment of claims for mental health and alcoholism or drug dependence benefits in relation to the requirements of the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008. - Amends TCA Title 56 and Title 71. by \*Clemmons, \*McCormick.

On motion, House Bill No. 480 was made to conform with **Senate Bill No. 837**; the Senate Bill was substituted for the House Bill.

**\*Senate Joint Resolution No. 83** -- General Assembly, Statement of Intent or Position - Expresses support for the Tennessee Energy Efficient Schools Council. by \*Ketron.

**House Bill No. 1423** -- Roane County - Subject to local approval, changes the date by which the occupancy tax must be remitted, from not later than the 20th of the month to not later than the date the operator is required to remit sales taxes. - Amends Chapter 166 of the Private Acts of 1992. by \*Calfee.

**House Bill No. 1000** -- State Employees - As introduced, extends state employee defense protections to foster parents under contract with agencies under contract with the state and not just to foster parents under contract with the state. - Amends TCA Title 8, Chapter 42 and Title 9, Chapter 8. by \*White D, \*Rudd.

On motion, House Bill No. 1000 was made to conform with **Senate Bill No. 361**; the Senate Bill was substituted for the House Bill.

**\*Senate Joint Resolution No. 35** -- General Assembly, Statement of Intent or Position - Recognizes pornography as a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms. by \*Beavers, \*Haile.

**\*House Bill No. 491** -- Shelby County - As introduced, increases membership on the county board of equalization from nine to 13 members. - Amends TCA Title 67, Chapter 1. by \*Lollar.

On motion, House Bill No. 491 was made to conform with **Senate Bill No. 1246**; the Senate Bill was substituted for the House Bill.

**House Bill No. 1429** -- Milan - Subject to local approval, authorizes the Milan Special School District to issue and sell bonds or notes to provide funds for the district. - Amends Chapter 504 of the Private Acts of 1954; as amended. by \*Halford.

**House Resolution No. 98** -- Memorials, Recognition - Commends public awareness efforts relative to the importance of vaccinations for children and adults against meningococcal disease. by \*Sexton C.

**House Resolution No. 99** -- Memorials, Personal Occasion - Gladys Willie Jane Young Davidson Etheridge, 100th birthday. by \*Halford.

**House Resolution No. 100** -- Memorials, Personal Occasion - Steve and Brenda Eller, 50th wedding anniversary. by \*Keisling.

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**House Resolution No. 101** -- Memorials, Recognition - Epsilon Sigma Chapter of Pi Kappa Alpha Fraternity at UT-Martin. by \*Jernigan, \*Lollar.

**House Joint Resolution No. 288** -- Memorials, Retirement - Gordon Wayne Miller. by \*Pitts, \*Forgety, \*Kane, \*White M, \*Brooks H.

**House Joint Resolution No. 289** -- Memorials, Public Service - Mary "Katie" Armitage. by \*Lollar.

**House Joint Resolution No. 290** -- Memorials, Heroism - Erlanger Health System caregivers. by \*Favors, \*McCormick, \*Hazlewood, \*Carter, \*Gravitt.

**House Joint Resolution No. 291** -- Memorials, Academic Achievement - Megan Shianne Holloway, Valedictorian, Sale Creek High School. by \*Carter.

**House Joint Resolution No. 292** -- Memorials, Academic Achievement - MicKayla Rai Wilkinson, Salutatorian, Sale Creek High School. by \*Carter.

**House Joint Resolution No. 293** -- Memorials, Sports - Macon County High School Tigerettes basketball team. by \*Keisling.

**House Joint Resolution No. 294** -- Memorials, Retirement - Charley Cooper Long. by \*Keisling.

**House Joint Resolution No. 295** -- Memorials, Interns - Jamelia Hatchett. by \*Wirgau, \*Carr.

**House Joint Resolution No. 296** -- Memorials, Recognition - The Shoe Company, 50th anniversary. by \*Littleton.

**House Joint Resolution No. 297** -- Memorials, Retirement - Tommy Lynch. by \*Clemmons.

**House Joint Resolution No. 298** -- Memorials, Academic Achievement - River Shane Bailey, Top Academic Achiever, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 299** -- Memorials, Academic Achievement - Kassandra Beth Starnes, Top Academic Achiever, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 300** -- Memorials, Academic Achievement - Raiden Bonner Evans, Top Academic Achiever, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 301** -- Memorials, Academic Achievement - Matthew Rane Davis, Top Academic Achiever, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 302** -- Memorials, Academic Achievement - Emma Caroline Kenner, Top Academic Achiever, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 303** -- Memorials, Academic Achievement - Mollie Catherine Price, Top Academic Achiever, Cherokee High School. by \*Hicks.



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**House Joint Resolution No. 304** -- Memorials, Academic Achievement - Kinsey Nycole Trent, Top Academic Achiever, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 305** -- Memorials, Academic Achievement - Marina Kay McDavid, Top Academic Achiever, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 306** -- Memorials, Academic Achievement - Tiffany Rena Cook, Top Academic Achiever, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 307** -- Memorials, Academic Achievement - Neely Elizabeth Millard, Top Academic Achiever, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 308** -- Memorials, Academic Achievement - Alexander Greene, Salutatorian, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 309** -- Memorials, Academic Achievement - Seth Kerney, Top Ten, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 310** -- Memorials, Academic Achievement - Palmer Cumber, Top Ten, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 311** -- Memorials, Academic Achievement - Leah Gibson, Top Ten, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 312** -- Memorials, Academic Achievement - Mary Dawn Elizabeth Davis, Top Ten, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 313** -- Memorials, Academic Achievement - Macy Carlean Reed, Top Ten, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 314** -- Memorials, Academic Achievement - Samantha Paige Riley, Top Ten, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 315** -- Memorials, Academic Achievement - Sharolyn Shae Johnson, Top Ten, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 316** -- Memorials, Academic Achievement - Katey Michlyn Gibson, Top Ten, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 317** -- Memorials, Academic Achievement - Hannah Cobb, Top Academic Achiever, Volunteer High School. by \*Hicks.

**House Joint Resolution No. 318** -- Memorials, Academic Achievement - Yasmine Puncelles, Top Academic Achiever, Volunteer High School. by \*Hicks.

**House Joint Resolution No. 319** -- Memorials, Academic Achievement - Brevin Morris, Top Academic Achiever, Volunteer High School. by \*Hicks.

**House Joint Resolution No. 320** -- Memorials, Academic Achievement - Jana Michalik, Top Academic Achiever, Volunteer High School. by \*Hicks.

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**House Joint Resolution No. 321** -- Memorials, Academic Achievement - Jessica McPeck, Top Academic Achiever, Volunteer High School. by \*Hicks.

**House Joint Resolution No. 322** -- Memorials, Academic Achievement - Jennifer Hesoun, Top Academic Achiever, Volunteer High School. by \*Hicks.

**House Joint Resolution No. 323** -- Memorials, Academic Achievement - Pamela Seal, Valedictorian, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 324** -- Memorials, Academic Achievement - Hamilton Falin, Top Academic Achiever, Volunteer High School. by \*Hicks.

**House Joint Resolution No. 325** -- Memorials, Academic Achievement - Cameryn Booker, Top Academic Achiever, Volunteer High School. by \*Hicks.

**House Joint Resolution No. 326** -- Memorials, Academic Achievement - Evan Doran, Top Academic Achiever, Volunteer High School. by \*Hicks.

**House Joint Resolution No. 327** -- Memorials, Academic Achievement - Haley Carter, Top Academic Achiever, Volunteer High School. by \*Hicks.

**House Joint Resolution No. 328** -- Memorials, Death - James "Ken" Sparks. by \*Williams.

**House Joint Resolution No. 329** -- Memorials, Academic Achievement - Austin Levi Blazer, Salutatorian, Cocke County High School. by \*Faison.

**House Joint Resolution No. 330** -- Memorials, Academic Achievement - Skylar McGaha, Salutatorian, Cosby High School. by \*Faison.

**House Joint Resolution No. 331** -- Memorials, Academic Achievement - Virginia Collins, Valedictorian, South Greene High School. by \*Faison.

**House Joint Resolution No. 332** -- Memorials, Academic Achievement - Chelsey Price, Salutatorian, South Greene High School. by \*Faison.

**House Joint Resolution No. 333** -- Memorials, Academic Achievement - Cydney Seaton, Salutatorian, South Greene High School. by \*Faison.

**House Joint Resolution No. 334** -- Memorials, Academic Achievement - Emily Laurel Ellison, Valedictorian, Cocke County High School. by \*Faison.

**House Joint Resolution No. 335** -- Memorials, Academic Achievement - Todd Brown, Valedictorian, South Greene High School. by \*Faison.

**House Joint Resolution No. 336** -- Memorials, Academic Achievement - Emily Edmonds, Valedictorian, Cosby High School. by \*Faison.

**House Joint Resolution No. 337** -- Memorials, Recognition - 2017 World's Biggest Fish Fry Princess Court. by \*Wirgau.

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**Senate Joint Resolution No. 295** -- Memorials, Personal Occasion - Hazel Allen Gordon, 100th birthday. by \*Tracy.

**Senate Joint Resolution No. 296** -- Memorials, Personal Achievement - Kody Baker, Eagle Scout. by \*Green.

**Senate Joint Resolution No. 297** -- Memorials, Public Service - Lawrence Hahn, Boys & Girls Clubs. by \*McNally, \*Yager.

**Senate Joint Resolution No. 298** -- Memorials, Recognition - Betty Weemes. by \*Southerland.

**Senate Joint Resolution No. 300** -- Memorials, Recognition - Allan and Bea Brown, 2016 Blanche W. Grady Community Service Award. by \*Southerland.

**Senate Joint Resolution No. 301** -- Memorials, Sports - Greeneville High School Lady Devils soccer team, State Champions. by \*Southerland.

**Senate Joint Resolution No. 302** -- Memorials, Recognition - Sam Milhollin, 2017 Youth Leadership Award. by \*Overbey, \*Massey.

**Senate Joint Resolution No. 303** -- Memorials, Recognition - Aubrey Randy Burleson, 2017 Community Leadership Award. by \*Overbey, \*Massey, \*Briggs, \*McNally.

**Senate Joint Resolution No. 304** -- Memorials, Academic Achievement - Raiha Abbas, Valedictorian, William Blount High School. by \*Overbey.

**Senate Joint Resolution No. 305** -- Memorials, Academic Achievement - Gary Daniel Burns, Salutarian, William Blount High School. by \*Overbey.

**Senate Joint Resolution No. 306** -- Memorials, Death - Garry Kreis. by \*Yager, \*Bailey, \*Beavers, \*Bell, \*Bowling, \*Briggs, \*Crowe, \*Dickerson, \*Gardenhire, \*Gresham, \*Haile, \*Harper, \*Hensley, \*Jackson, \*Johnson, \*Kelsey, \*Ketron, \*Kyle, \*Lundberg, \*Massey, \*Niceley, \*Norris, \*Overbey, \*Roberts, \*Southerland, \*Stevens, \*Tate, \*Tracy, \*Watson, \*Yarbro, \*McNally.

**Senate Joint Resolution No. 307** -- Memorials, Professional Achievement - Perry Massengill, Fisheries Technician of the Year. by \*Southerland.

**Senate Joint Resolution No. 308** -- Memorials, Professional Achievement - John Hammonds, Biologist of the Year. by \*Southerland, \*Crowe.

**Senate Joint Resolution No. 309** -- Memorials, Public Service - R.L. "Tom" Carpenter. by \*Southerland.

**Senate Joint Resolution No. 310** -- Memorials, Personal Occasion - Ethel Miller, 106th birthday. by \*Southerland, \*Crowe.

**Senate Joint Resolution No. 311** -- Memorials, Death - Christopher Ryan White. by \*Bailey.

**Senate Joint Resolution No. 312** -- Memorials, Retirement - Dean Headrick. by \*Bailey.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	89
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Swann, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 89

Representatives present and not voting were: Cooper -- 1

A motion to reconsider was tabled.

## REGULAR CALENDAR

**\*House Bill No. 1338** -- Barbers and/or Cosmetologists - As introduced, requires anyone seeking a license or renewing a license as a cosmetologist, aesthetician, manicurist, natural hair stylist, or barber to successfully complete a one-hour domestic violence training course as prescribed by the state board of cosmetology and barber examiners. - Amends TCA Title 62, Chapter 3 and Title 62, Chapter 4. by \*Hardaway, \*Camper, \*Gilmore, \*Cooper, \*Favors, \*Jones, \*Hazlewood, \*Stewart, \*Moody, \*Casada, \*White M, \*Turner, \*Love, \*Parkinson. (SB1303 by \*Harris)

Further consideration of House Bill No. 1338, previously considered on April 10, 2017, at which time the House adopted House Amendment No. 1, and it was reset for today's Calendar.

Rep. Hardaway moved that House Bill No. 1338 be passed, as amended, on third and final consideration.

Rep. Parkinson moved the previous question, which motion prevailed.

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Rep. Hardaway moved that **House Bill No. 1338**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 92  
Noes..... 2

Representatives voting aye were: Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 92

Representatives voting no were: Hulse, Rudd -- 2

A motion to reconsider was tabled.

**\*House Bill No. 772** -- Banks and Financial Institutions - As introduced, increases amount that a credit card state bank must maintain in capital stock and paid-in surplus from \$2 million to \$3 million or such higher amount as prescribed by the commissioner as initial capital. - Amends TCA Title 45, Chapter 2, Part 19. by \*Hazlewood. (SB997 by \*Tracy, \*Bowling)

On motion, House Bill No. 772 was made to conform with **Senate Bill No. 997**; the Senate Bill was substituted for the House Bill.

Rep. Hazlewood moved that Senate Bill No. 997 be passed on third and final consideration.

Rep. Travis moved that Insurance and Banking Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Gravitt moved the previous question, which motion prevailed.

Rep. Hazlewood moved that **Senate Bill No. 997** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 73  
Noes..... 12  
Present and not voting..... 2

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Crawford, Curcio, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulse, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Mitchell, Moody, Pitts, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sargent, Sexton C., Shaw, Sherrell, Smith, Staples,

Swann, Thompson, Tillis, Travis, Van Huss, White D., White M., Whitson, Williams, Wirgau, Zachary -- 73

Representatives voting no were: Clemmons, Cooper, Hardaway, Jernigan, Jones, Parkinson, Powell, Sexton J., Sparks, Stewart, Turner, Windle -- 12

Representatives present and not voting were: Daniel, Miller -- 2

A motion to reconsider was tabled.

### **REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "no" to "aye" on **Senate Bill No. 997** and have this statement entered in the Journal: Rep. Parkinson.

### **REGULAR CALENDAR, CONTINUED**

**House Bill No. 649** -- TennCare - As introduced, reduces the time period from 30 to 15 days for an enrollee or applicant for medical assistance to mail documentation of a material change affecting the enrollee or applicant's TennCare application. - Amends TCA Title 68 and Title 71. by \*McDaniel. (\*SB188 by \*Overbey)

Rep. McDaniel moved that House Bill No. 649 be passed on third and final consideration.

Rep. C. Sexton moved adoption of Health Committee Amendment No. 1 as follows:

#### **Amendment No. 1**

AMEND House Bill No. 649 by deleting all language following the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 71-5-2507(b), is amended by deleting the period (.) at the end of the first sentence of the subsection and substituting instead the following:

; and is authorized to make arrests for offenses involving criminal fraud and abuse of the TennCare program and any other violations of state criminal law related to the operation of TennCare.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Health Committee Amendment No. 1 was adopted.

**MONDAY, APRIL 17, 2017 -- TWENTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Rep. McDaniel moved that **House Bill No. 649**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 94  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

**\*House Bill No. 661** -- Alcoholic Beverages - As introduced, authorizes the sale of alcoholic beverages for on premises consumption at a location in Davidson County. - Amends TCA Title 57, Chapter 4. by \*Mitchell, \*Ramsey, \*Jernigan. (SB848 by \*Briggs)

On motion, House Bill No. 661 was made to conform with **Senate Bill No. 848**; the Senate Bill was substituted for the House Bill.

Rep. Mitchell moved that **Senate Bill No. 848** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 66  
Noes..... 22  
Present and not voting..... 5

Representatives voting aye were: Akbari, Alexander, Beck, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Doss, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Holsclaw, Hulsey, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Littleton, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Parkinson, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Staples, Stewart, Swann, Terry, Thompson, Tillis, Travis, Turner, Weaver, Whitson, Williams, Wirgau, Madam Speaker Harwell -- 66

Representatives voting no were: Brooks H., Brooks K., Byrd, Daniel, DeBerry, Dunn, Gant, Hill M., Hill T., Holt, Keisling, Lollar, Matlock, Moody, Sexton J., Sherrell, Smith, Van Huss, White D., White M., Windle, Zachary -- 22

Representatives present and not voting were: Butt, Pody, Powers, Rudd, Sparks -- 5

A motion to reconsider was tabled.

**House Bill No. 937** -- Professions and Occupations - As introduced, enacts the "Revised Uniform Athlete Agents Act of 2015." - Amends TCA Title 49. by \*Travis. (\*SB565 by \*Overbey)

On motion, House Bill No. 937 was made to conform with **Senate Bill No. 565**; the Senate Bill was substituted for the House Bill.

Rep. Travis moved that Senate Bill No. 565 be passed on third and final consideration.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Travis moved that **Senate Bill No. 565** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 93  
Noes..... 3

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Swann, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 93

Representatives voting no were: Powell, Stewart, Windle -- 3

A motion to reconsider was tabled.

**House Bill No. 566** -- Professions and Occupations - As introduced, requires state governmental entities that establish or adopt guides to practice to do so through the promulgation of rules; guides to practice include codes of ethics, voluntary certification programs, and other measures required to ensure minimum quality of service. - Amends TCA Title 4; Title 49; Title 62; Title 63; Title 68; Title 69 and Title 70. by \*Howell, \*Zachary, \*Carter, \*Goins, \*Rogers, \*Lamberth, \*Powers, \*Byrd, \*Brooks K, \*Matlock, \*Doss, \*White D, \*Sexton C. (\*SB449 by \*Bell)

On motion, House Bill No. 566 was made to conform with **Senate Bill No. 449**; the Senate Bill was substituted for the House Bill.

Rep. Howell moved that Senate Bill No. 449 be passed on third and final consideration.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.



**MONDAY, APRIL 17, 2017 -- TWENTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Rep. C. Sexton moved the previous question, which motion prevailed by the following vote:

Ayes ..... 60  
Noes ..... 30

Representatives voting aye were: Alexander, Brooks H., Brooks K., Byrd, Calfee, Carr, Carter, Casada, Coley, Crawford, Curcio, Doss, Dunn, Eldridge, Farmer, Forgety, Gant, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill T., Holsclaw, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Pody, Powers, Ramsey, Reedy, Sargent, Sexton C., Sexton J., Sherrell, Sparks, Swann, Terry, Tillis, Van Huss, Weaver, White D., White M., Whitson, Williams, Zachary, Madam Speaker Harwell -- 60

Representatives voting no were: Akbari, Beck, Camper, Clemmons, Cooper, Daniel, DeBerry, Faison, Gilmore, Hardaway, Hill M., Holt, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Rogers, Rudd, Sanderson, Shaw, Smith, Staples, Stewart, Thompson, Turner, Windle -- 30

Rep. Howell moved that **Senate Bill No. 449** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 72  
Noes ..... 23

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Forgety, Gant, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Swann, Terry, Tillis, Travis, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 72

Representatives voting no were: Akbari, Beck, Camper, Clemmons, Cooper, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Sanderson, Shaw, Staples, Stewart, Thompson, Turner, Windle -- 23

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 449** and have this statement entered in the Journal: Rep. Littleton.

REGULAR CALENDAR, CONTINUED

**\*House Bill No. 300** -- Professions and Occupations - As introduced, revises various professional regulatory provisions. - Amends TCA Title 62. by \*Hawk, \*Casada, \*Howell, \*Daniel. (SB1188 by \*Norris, \*Watson)

On motion, House Bill No. 300 was made to conform with **Senate Bill No. 1188**; the Senate Bill was substituted for the House Bill.

Rep. Howell moved that Senate Bill No. 1188 be passed on third and final consideration.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Howell moved that **Senate Bill No. 1188** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

**\*House Bill No. 439** -- Local Education Agencies - As introduced, requires all safety plans adopted pursuant to the SAVE Act to be tested annually by the appropriate school safety team and the results of the annual test to be provided to the Tennessee school safety center, the LEA, and the appropriate law enforcement agency; authorizes the Tennessee school safety center, the LEA, and the appropriate law enforcement agency to provide assistance for any plan that falls below the requirements of the SAVE Act. - Amends TCA Title 49, Chapter 6, Part 8. by \*Ragan. (SB733 by \*Gresham)

Rep. Ragan moved that House Bill No. 439 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Administration & Planning Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 439 by deleting all language after the enacting clause and substituting instead the following:

1065

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

SECTION 1. Tennessee Code Annotated, Section 49-6-807, is amended by deleting the section in its entirety and substituting instead the following:

Each school safety team shall conduct at least one (1) armed intruder drill annually. The drill shall be conducted in coordination with the appropriate local law enforcement agency. The Tennessee school safety center, the LEA, and the appropriate law enforcement agency shall provide assistance for any LEA whose safety plan falls below the standards required by this part. The results of the drill shall be maintained by each school for a minimum of five (5) years and shall be made available to the department of education upon request.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Education Administration & Planning Committee Amendment No. 1 was adopted.

Rep. Ragan moved that **House Bill No. 439**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

**\*House Bill No. 383** -- Criminal Procedure - As introduced, reduces the fee for expunction to \$205, reduces the time after which sentences have been completed before a person can apply for expunction to one year, and allows a person to obtain expunction for an assault conviction. - Amends TCA Section 40-32-101. by \*Shaw, \*Parkinson, \*Stewart, \*Gilmore, \*Goins. (SB1254 by \*Norris)

Rep. Shaw moved that House Bill No. 383 be passed on third and final consideration.

Rep. Lamberth moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

**Amendment No. 2**

AMEND House Bill No. 383 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-32-101(g)(1)(B), is amended by deleting the subdivision and substituting instead the following:

(B) Except as provided in this subdivision (g)(1)(B), a person who was convicted of a misdemeanor offense committed on or after November 1, 1989. Misdemeanors excluded from consideration are:

- (i) Section 39-13-111 - Domestic assault;
- (ii) Section 39-13-113(g) - Violation of protective or restraining order;
- (iii) Section 39-13-113(h) - Possession of firearm while order of protection is in effect;
- (iv) Section 39-13-511 - Public indecency third or subsequent offense;
- (v) Section 39-13-511 - Indecent exposure (victim under thirteen (13) years of age) or by person in penal institution exposing to a guard;
- (vi) Section 39-13-526(b)(1) and (2) - Violation of community supervision by sex offender not constituting offense or constituting misdemeanor;
- (vii) Section 39-13-528 - Soliciting minor to engage in Class E sexual offense;
- (viii) Section 39-13-533 - Unlawful sexual contact by authority figure;
- (ix) Section 39-14-118 - Fraudulent use of credit/debit card (up to \$500);
- (x) Section 39-15-201(b)(3) - Coercion - abortion;
- (xi) Section 39-15-210 - Third or subsequent violation of Child Rape Protection Act of 2006;
- (xii) Section 39-15-401(a) - Child abuse (where child is between ages seven through seventeen (7-17));

(xiii) Section 39-15-401(b) - Child neglect and endangerment (where child is between ages seven through thirteen (7-13));

(xiv) Section 39-17-315 - Stalking;

(xv) Section 39-17-452 - Sale or possession of synthetic derivatives or analogues of methcathinone;

(xvi) Section 39-17-902(a) - Importing, preparing, distributing, processing, or appearing in obscene material or Class A misdemeanors;

(xvii) Section 39-17-907 - Unlawful exhibition of obscene material;

(xviii) Section 39-17-911 - Sale or loan to minors of harmful materials;

(xix) Section 39-17-918 - Unlawful massage or exposure of erogenous areas;

(xx) Section 39-17-1307(f)(1)(A) - Possession of firearm after being convicted of misdemeanor crime of domestic violence;

(xxi) Section 39-17-1307(f)(1)(B) - Possession of firearm while order of protection is in effect;

(xxii) Section 39-17-1307(f)(1)(C) - Possession of firearm while prohibited by state or federal law;

(xxiii) Section 39-17-1312 - Failure of adult to report juvenile carrying gun in school;

(xxiv) Section 39-17-1320(a) - Nonparent providing handgun to a juvenile;

(xxv) Section 39-17-1352 - Failure to surrender handgun carry permit upon suspension;

(xxvi) Section 39-13-511(a) - Public indecency - first or second offense (punishable by a five-hundred-dollar fine only);

(xxvii) Section 39-13-511(b)(2) - Indecent exposure (victim thirteen (13) years of age or older);

(xxviii) Section 39-17-914 - Display for sale or rental of material harmful to minors; and

(xxix) Section 55-10-401 - Driving under the influence of an intoxicant;

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Shaw moved that **House Bill No. 383**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 93  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

**House Bill No. 625** -- Election Laws - As introduced, prohibits a political advertisement from implying a nonincumbent candidate is an incumbent; requires a political advertisement to include the number or letter of the district, ward, or seat for which the candidate is running, if applicable. - Amends TCA Title 2, Chapter 19. by \*Shaw. (\*SB512 by \*Jackson)

Rep. Shaw moved that House Bill No. 625 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 625 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-19-116(a), is amended by designating the existing language as subdivision (a)(1) and adding the following as a new subdivision (a)(2):

(2) No candidate or representative of a candidate shall print or cause to be printed, or assist in the distribution or transportation of any, campaign signs or other campaign materials advocating the election of a candidate that represent or imply such candidate to be the incumbent, such as the use of the word "re-elect," unless the candidate is the incumbent. As used in this subdivision (a)(2),

"incumbent" means the person presently holding the office at the time of qualifying for election to the office being sought.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Shaw moved that House Bill No. 625 be reset for the Regular Calendar on April 18, 2017, which motion prevailed.

**\*House Bill No. 762** -- Assessors - As introduced, increases amount of time the assessor preserves records of the date of any notification of a change in classification or assessed valuation from not less than two years to not less than three years. - Amends TCA Title 67, Chapter 5. by \*Curcio. (SB748 by \*Roberts)

Rep. Curcio moved that House Bill No. 762 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 762 by deleting Section 1 and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-5-508, is amended by adding the following language as a new subsection (d):

(d) An assessor of property may maintain any records as required under this part in an electronic format.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Curcio moved that **House Bill No. 762**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 96  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry,

Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

### REGULAR CALENDAR, CONTINUED

**\*House Bill No. 366** -- Consumer Protection - As introduced, removes certain acts from the list of prohibited acts by a litigation financier; gives priority, with exclusions, of an attached litigation financier lien over other liens that subsequently take effect and attach. - Amends TCA Section 47-16-105 and Section 47-16-109. by \*Lynn. (SB305 by \*Watson)

On motion, House Bill No. 366 was made to conform with **Senate Bill No. 305**; the Senate Bill was substituted for the House Bill.

Rep. Lynn moved that Senate Bill No. 305 be passed on third and final consideration.

Rep. Eldridge moved that Consumer and Human Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Lynn moved that **Senate Bill No. 305** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	93
Noes .....	0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on **Senate Bill No. 305** and have this statement entered in the Journal: Rep. Daniel.



REGULAR CALENDAR, CONTINUED

**\*House Bill No. 556** -- Emergency Communications Districts - As introduced, authorizes members of a district's board of directors to participate in board meetings by any electronic means approved by the board; deletes prohibition against reappointing a board member for 48 months following such member's removal for failure to attend board meetings, refusal to execute the law, or neglect of duty; requires that board members' absences be excused when due to military or public safety professional service or training. - Amends TCA Section 7-86-314 and Title 8, Chapter 44. by \*Matheny. (SB596 by \*Gardenhire)

On motion, House Bill No. 556 was made to conform with **Senate Bill No. 596**; the Senate Bill was substituted for the House Bill.

Rep. Matheny moved that Senate Bill No. 596 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Matheny moved that **Senate Bill No. 596** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Swann, Terry, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

**\*House Bill No. 689** -- Handgun Permits - As introduced, authorizes the department of safety to consult any military form that captures either small arms qualification training or combat pistol training in order to verify a handgun permit applicant's eligibility for the military veteran's exception to the handgun training requirements. - Amends TCA Section 39-17-1351. by \*VanHuss. (SB1338 by \*Bailey)

Rep. Van Huss moved that House Bill No. 689 be passed on third and final consideration.

Rep. Farmer moved adoption of Civil Justice Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 689 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1351(e), is amended by deleting the fourth sentence and substituting instead the following:

The course shall include both classroom hours and firing range hours; provided, that an applicant shall not be required to comply with the firing range requirements if the applicant submits proof to the department that the applicant has successfully passed small arms qualification training or combat pistol training in any branch of the United States armed forces.

SECTION 2. This act shall take effect January 1, 2018, the public welfare requiring it.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Van Huss moved that **House Bill No. 689**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 96  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

**\*House Bill No. 782** -- Taxes, Hotel Motel - As introduced, authorizes the Town of Kingston Springs, by ordinance adopted by a two-thirds vote, to levy an occupancy tax of not more than 5 percent on the privilege of staying in any hotel or motel in Kingston Springs; the ordinance must set forth the manner of collection and administration of the privilege tax; requires that all proceeds received by the municipality from the tax be used for tourism or economic development. - Amends TCA Section 67-4-1425. by \*Littleton. (SB853 by \*Roberts)

Rep. Littleton moved that House Bill No. 782 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 782 by deleting from Section 1 the language "in an amount not to exceed five percent (5%)" and substituting instead the language "in an amount not to exceed two and one-half percent (2.5%)".

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Littleton moved that **House Bill No. 782**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	80
Noes.....	7
Present and not voting.....	6

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Curcio, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Pitts, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Staples, Swann, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 80

Representatives voting no were: Holt, Lynn, Mitchell, Pody, Powell, Stewart, Windle -- 7

Representatives present and not voting were: Daniel, Gant, Moody, Powers, Rudd, Sparks -- 6

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "no" to "aye" on **House Bill No. 782** and have this statement entered in the Journal: Rep. Powell.

**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 44** -- Tennessee Bureau of Investigation - As introduced, enacts the "Help Find the Missing Act." - Amends TCA Title 38. by \*Windle, \*Jernigan, \*Sexton C. (SB113 by \*Bailey)

Rep. Windle moved that House Bill No. 44 be passed on third and final consideration.

Rep. Lamberth moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 44 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 6, Part 1, is amended by adding the following language as a new section:

(a) This section shall be known and may be cited as the "Help Find the Missing Act".

(b) As used in this section:

(1) "Missing citizen" has the same meaning as defined in § 38-6-121;

(2) "Regional forensic center" means a facility accredited by the National Association of Medical Examiners at which autopsies are performed pursuant to § 38-7-105; and

(3) "Unidentified body" means human remains which are unidentified after all available methods have been exhausted.

(c)

(1) In all cases in which the county medical examiner is not satisfied with the decedent's identification the body shall be referred for examination to a regional forensic center.

(2) The regional forensic center shall furnish the Tennessee bureau of investigation (TBI) and the National Missing and Unidentified Persons System created by the United States department of justice's national institute of justice (NamUs), if physically possible, with copies of fingerprints on standardized eight inch by eight inch (8" x 8") fingerprint cards or the equivalent digital image; prints or partial prints of any fingers; any forensic odontology report concerning the body; detailed personal descriptions; DNA results; and all other identifying data, including date and place of death, of all deceased persons whose deaths are in a classification requiring inquiry by the medical examiner and who remain unidentified after all available methods have been exhausted.

(d)

(1) When any person makes a report of a missing person to a law enforcement agency, the agency shall immediately request a member of the family or next of kin of the missing person to authorize the release to local law enforcement of the dental records of the person reported missing. If the person reported missing is still missing thirty (30) days

after the report is made, the law enforcement agency shall deliver the release to the dentist or dentists of the missing person, and request the dentist or dentists to deliver such records, including dental x-rays, to the local law enforcement agency.

(2) If the person reported missing has not been found within the first thirty (30) days and no family or next of kin exists or can be located, the law enforcement agency may execute a written declaration, stating that an active investigation seeking the location of the missing person is being conducted and that the dental records are necessary for the exclusive purpose of furthering the investigation. Such written declaration, signed by a law enforcement officer, is sufficient authority for the dentist or dentists to release the missing person's dental records, including dental x-rays, to the local law enforcement agency, and shall not be the basis for disciplinary action pursuant to § 63-5-124. Upon receipt of a properly executed release and request or declaration, the dentist or dentists shall forward the dental records, including dental x-rays, to local law enforcement, where a file shall be maintained concerning persons reported as missing and who have not been reported as found. Within ten (10) days of receipt, a copy of the dental records, including x-rays, shall be forwarded to NamUS by the local law enforcement agency or the TBI.

(e) Whenever a law enforcement agency determines that a person is a missing citizen, or that an unidentified living person may be a missing citizen, such law enforcement agency shall enter the report of such missing citizen in any database of missing persons currently required by their agency, into any missing person database utilized by the TBI and into NamUs.

(f) If the TBI receives the report of a missing citizen, the TBI shall maintain a record of the case file. The TBI shall promulgate rules relating to the dissemination of the records. The rules shall require that, pursuant to this subsection (f), the process of releasing the records shall take no longer than forty-eight (48) hours from the time the TBI receives a report that a citizen, for whom there is a previous record, is missing. The record may be disseminated if the individual to whom the record pertains is reported missing on a subsequent occasion or if needed for evidentiary purposes in any civil litigation against the TBI or its personnel that arises from the investigation. In the event that there are grounds for a criminal action arising from the investigation, nothing in this subsection (f) shall prohibit the TBI from allowing the records to remain until criminal action is concluded or otherwise resolved.

(g) The information contained in the TBI's missing person files shall be made available to NamUs and to law enforcement agencies attempting to locate missing persons.

(h) No law enforcement agency shall establish or maintain any policy which requires the observance of a waiting period before accepting and investigating a missing child report. Upon receipt of a report of a missing child, a law enforcement agency shall enter the child into the National Crime Information

Center (NCIC) pursuant to federal bureau of investigation mandate, which is two (2) hours from the time the child is reported missing to law enforcement.

(i) When a person previously reported missing has been found, the sheriff, chief of police, medical examiner, regional forensic center, or other law enforcement agency shall report to the TBI and to NamUs within twenty-four (24) hours that the person has been found.

(j) Nothing in this section prohibits law enforcement agencies or regional forensic centers from maintaining case files related to missing citizens or unidentified bodies.

(k) Nothing in this section supersedes the authority of the regional forensic center to obtain dental records, including charts and x-rays in cases in which these records are necessary for the identification of human remains as authorized in § 38-7-117.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Windle moved that **House Bill No. 44**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 95  
Noes ..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulse, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

**House Bill No. 1013** -- State Universities - As introduced, removes the prohibition on a state university governing board member serving on the governing board of any institution of higher education and replaces it with a prohibition on a state university governing board member serving on the governing board of a public institution of higher education. - Amends TCA Title 49, Chapter 8, Part 2. by \*Hawk. (\*SB570 by \*Gresham)

Rep. Hawk moved that House Bill No. 1013 be passed on third and final consideration.

Rep. Love moved that House Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Hawk moved that **House Bill No. 1013** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

**House Bill No. 1014** -- Water - As introduced, extends time from January 31 to February 15 for commissioner of environment and conservation to provide report to the chair of the energy, agriculture and natural resources committee of the senate and the chair of the agriculture and natural resources committee of the house of representatives on the implementation of a secure web portal for the submittal of online permit applications. - Amends TCA Title 69 and Title 70. by \*Hawk. (\*SB818 by \*Southerland)

On motion, House Bill No. 1014 was made to conform with **Senate Bill No. 818**; the Senate Bill was substituted for the House Bill.

Rep. Hawk moved that Senate Bill No. 818 be passed on third and final consideration.

Rep. Halford moved that Agriculture and Natural Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Hawk moved that **Senate Bill No. 818** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C.,

Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Swann, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

**House Bill No. 1017** -- Water Pollution - As introduced, effective January 1, 2018, increases from 30 to 35 the number of days within which an administrative judge must hold a scheduling conference for a hearing concerning a violation of the Water Quality Control Act of 1977. - Amends TCA Title 69, Chapter 3, Part 1. by \*Hawk. (\*SB899 by \*Bell)

Rep. Hawk moved that House Bill No. 1017 be passed on third and final consideration.

Rep. Halford moved adoption of Agriculture and Natural Resources Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1017 by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 69-3-103(6), is amended by deleting the following language:

however, the department may, by permit requirements or by regulations adopted by the board in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, adopt a more stringent definition of "concentrated animal feeding operation";

SECTION 2. Tennessee Code Annotated, Section 69-3-108(b)(7), is amended by deleting the subdivision and substituting the following:

(7) The actual discharge of a pollutant from a concentrated animal feeding operation; provided, however, only those operations that are required under the federal Clean Water Act, (33 U.S.C. § 1251 et seq.) to have a permit for concentrated animal feeding operations may be issued a national pollutant discharge elimination system (NPDES) permit;

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Agriculture and Natural Resources Committee Amendment No. 1 was adopted.

Rep. Halford moved adoption of Agriculture and Natural Resources Committee Amendment No. 2 as follows:



**Amendment No. 2**

AMEND House Bill No. 1017 by deleting the effective date section and substituting instead the following:

SECTION \_\_\_\_\_. This act shall take effect March 1, 2018, the public welfare requiring it.

On motion, Agriculture and Natural Resources Committee Amendment No. 2 was adopted.

Rep. Marsh moved the previous question, which motion prevailed.

Rep. Hawk moved that **House Bill No. 1017**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 78  
Noes..... 14

Representatives voting aye were: Alexander, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Moody, Pitts, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Swann, Terry, Tillis, Travis, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 78

Representatives voting no were: Beck, Clemmons, Cooper, Hardaway, Jernigan, Jones, Mitchell, Parkinson, Powell, Shaw, Staples, Stewart, Thompson, Turner -- 14

A motion to reconsider was tabled.

**\*House Bill No. 1016** -- Estates - As introduced, makes various changes to probate law, including requiring the receipt of a distributee or legatee to be executed under penalty of perjury or sworn before the clerk or a notary public. - Amends TCA Title 30. by \*Hawk. (SB1163 by \*Hensley)

Rep. Hawk moved that House Bill No. 1016 be reset for the Regular Calendar on April 24, 2017, which motion prevailed.

**\*House Bill No. 322** -- School Transportation - As introduced, establishes a school transportation supervisor program for the monitoring and oversight of transportation services for local education authorities and charter schools; requires new school bus drivers to complete a training program prior to transporting students; requires a driver to be at least 25 years of age to receive an initial school bus driver license endorsement. - Amends TCA Title 49, Chapter 6, Part 21; Section 55-50-302 and Title 55, Chapter 9, Part 6. by \*Hawk, \*Casada, \*Favors, \*Crawford. (SB1210 by \*Norris, \*Gardenhire)

Rep. Hawk moved that **House Bill No. 322** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 96  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

**House Bill No. 590** -- Physicians and Surgeons - As introduced, permits osteopathic physicians with certifications in pain management or pain medicine to practice in interventional pain management or as pain management specialists. - Amends TCA Title 63. by \*Terry, \*Sexton C. (\*SB154 by \*Green)

On motion, House Bill No. 590 was made to conform with **Senate Bill No. 154**; the Senate Bill was substituted for the House Bill.

Rep. Terry moved that Senate Bill No. 154 be passed on third and final consideration.

Rep. C. Sexton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Terry moved that **Senate Bill No. 154** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 94  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins,

Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Swann, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

### **JOURNAL CORRECTION**

Without objection, the Speaker requested that the Journal reflect that Rep. DeBerry voted "aye" on **Senate Bill No. 154**.

### **REGULAR CALENDAR, CONTINUED**

**House Bill No. 1405** -- Air Pollution - As introduced, decreases the number of copies from three to two of any air quality regulations adopted by a local government through reference in the local government's ordinance or resolution that must be filed in the office of the county clerk for inspection by the public. - Amends TCA Title 68, Chapter 201. by \*Keisling. (\*SB1371 by \*Johnson)

On motion, House Bill No. 1405 was made to conform with **Senate Bill No. 1371**; the Senate Bill was substituted for the House Bill.

Rep. Keisling moved that Senate Bill No. 1371 be passed on third and final consideration.

Rep. Halford moved adoption of Agriculture and Natural Resources Committee Amendment No. 1 as follows:

#### **Amendment No. 1**

AMEND Senate Bill No. 1371 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-201-115(b)(3), is amended by deleting the subdivision in its entirety and substituting instead the following:

(3) The certificate of exemption shall be granted if the board determines that:

(A) The municipality or county has enacted provisions for the control of air pollution not less stringent than this part;

(B) The enactments referenced in subdivision (b)(3)(A) are being, or will be, adequately enforced; and

(C) The granting of the certificate will not interfere with the state's goal of maintaining the purity of the air resources of the state;

SECTION 2. Tennessee Code Annotated, Section 68-201-115, is amended by adding the following new subsections:

(f) No municipality or county shall include land use or zoning requirements in its air pollution control regulations or the municipality's or county's certificate of exemption granting the municipality or county the authority to enact the regulations.

(g) No municipality or county shall request that the board include land use or zoning requirements in the state implementation plan submitted to the United States Environmental Protection Agency pursuant to 42 U.S.C. § 7410.

SECTION 3. If any provision of this act or the application of any provision of this act to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are declared to be severable.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Agriculture and Natural Resources Committee Amendment No. 1 was adopted.

Rep. Beck moved adoption of House Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 1371 by deleting Section 2 and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 68-201-115, is amended by adding the following new subsections:

(f)

(1) No municipality or county shall include land use or zoning requirements in its air pollution control regulations or the municipality's or county's certificate of exemption granting the municipality or county the authority to enact the regulations.

(2) Subdivision (f)(1) shall not apply in any county having a metropolitan form of government and a population in excess of five hundred thousand (500,000), according to the 2010 federal census or any subsequent federal census.

(g)

(1) No municipality or county shall request that the board include land use or zoning requirements in the state implementation plan submitted to the United States Environmental Protection Agency pursuant to 42 U.S.C. § 7410.

(2) Subdivision (g)(1) shall not apply in any county having a metropolitan form of government and a population in excess of five hundred thousand (500,000), according to the 2010 federal census or any subsequent federal census.

Rep. Keisling moved that House Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes .....	64
Noes.....	28

Representatives voting aye were: Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Casada, Coley, Crawford, Curcio, Doss, Eldridge, Faison, Farmer, Forgety, Gant, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, McCormick, McDaniel, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Swann, Terry, Tillis, Van Huss, Weaver, White M., Williams, Wirgau, Zachary -- 64

Representatives voting no were: Akbari, Alexander, Beck, Camper, Clemmons, Cooper, DeBerry, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Staples, Stewart, Thompson, Travis, Turner, White D., Whitson, Windle, Madam Speaker Harwell -- 28

Rep. Marsh moved the previous question, which motion prevailed by the following vote:

Ayes .....	70
Noes.....	23

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Crawford, Curcio, Daniel, Doss, Eldridge, Farmer, Forgety, Gant, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Swann, Terry, Tillis, Travis, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 70

Representatives voting no were: Beck, Camper, Clemmons, Coley, Cooper, DeBerry, Dunn, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Staples, Stewart, Thompson, Turner -- 23

Rep. Keisling moved that **Senate Bill No. 1371**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	69
Noes.....	23
Present and not voting.....	2

Representatives voting aye were: Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Crawford, Curcio, Daniel, Doss, Eldridge, Faison, Farmer, Forgety, Gant, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Swann, Terry, Tillis, Travis, Van Huss, Weaver, White D., White M., Williams, Wirgau, Zachary -- 69

Representatives voting no were: Beck, Camper, Clemmons, Cooper, DeBerry, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Staples, Stewart, Thompson, Turner, Windle, Madam Speaker Harwell -- 23

Representatives present and not voting were: Alexander, Dunn -- 2

A motion to reconsider was tabled.

**House Bill No. 809** -- Motor Vehicles - As introduced, removes restriction that off-highway vehicles only be operated during daylight hours during one day of each of two weekends per year in which the vehicles may be operated in Scott County. - Amends TCA Section 55-8-185. by \*Keisling. (\*SB680 by \*Yager)

On motion, House Bill No. 809 was made to conform with **Senate Bill No. 680**; the Senate Bill was substituted for the House Bill.

Rep. Keisling moved that Senate Bill No. 680 be passed on third and final consideration.

Rep. Doss moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Keisling moved that **Senate Bill No. 680** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	87
Noes.....	7

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Swann,

Terry, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 87

Representatives voting no were: Clemmons, Jernigan, Jones, Mitchell, Parkinson, Powell, Stewart -- 7

A motion to reconsider was tabled.

**\*House Bill No. 306** -- Barbers and/or Cosmetologists - As introduced, removes licensure requirement for persons whose occupation or practice is confined solely to shampooing. - Amends TCA Title 62, Chapter 3 and Title 62, Chapter 4. by \*Hawk, \*Casada, \*Gant, \*Carter, \*Miller. (SB1194 by \*Norris, \*Roberts, \*Bowling, \*Gresham, \*Kelsey, \*Stevens)

On motion, House Bill No. 306 was made to conform with **Senate Bill No. 1194**; the Senate Bill was substituted for the House Bill.

Rep. Gant moved that **Senate Bill No. 1194** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 84  
Noes..... 5

Representatives voting aye were: Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulse, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Swann, Terry, Tillis, Travis, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 84

Representatives voting no were: Camper, Gilmore, Parkinson, Thompson, Turner -- 5

A motion to reconsider was tabled.

**\*House Bill No. 873** -- Public Records - As introduced, permits a person who has no more than two convictions to petition on a one-time basis for expunction of both convictions provided each offense is otherwise eligible for expunction. - Amends TCA Title 40, Chapter 32. by \*Akbari. (SB800 by \*Dickerson)

Rep. Akbari moved that House Bill No. 873 be passed on third and final consideration.

Rep. Lamberth moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 873 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-32-101, is amended by adding the following new subsection:

(k)

(1) Notwithstanding subsection (g), effective July 1, 2017, for purposes of this subsection (k), an "eligible petitioner" means a person who was convicted of no more than two (2) offenses and:

(A) Each of the offenses for which the petitioner seeks expunction are offenses that are eligible for expunction under subsection (g);

(B) The offenses were:

(i) Two (2) misdemeanors; or

(ii) One (1) felony and one (1) misdemeanor;

(C)

(i) At the time of the filing of the petition for expunction at least five (5) years have elapsed since the completion of the sentence imposed for the most recent offense; and

(ii) If one (1) of the offenses was drug fraud pursuant to § 53-11-402(a)(3), at the time of the filing of the petition for expunction at least ten (10) years have elapsed since the completion of the sentence imposed for that offense; and

(D) The person has fulfilled all the requirements of the sentences imposed by the court for each offense the petitioner is seeking to expunge, including:

(i) Payment of all fines, restitution, court costs, and other assessments for each offense;

(ii) Completion of any term of imprisonment or probation for each offense;

(iii) Meeting all conditions of supervised or unsupervised release for each offense; and



(iv) Remaining free from dependency on or abuse of alcohol or a controlled substance or other prohibited substance for a period of not less than one (1) year, if so required by the conditions of any of the sentences imposed.

(2) A person may petition for expunction of two (2) offenses under this subsection (k) only one (1) time.

(3) The expunction fee under this subsection (k) shall be the same amount as a single expunction under subsection (g).

(4) Subdivisions (g)(3)-(6), (8), (10), (15), and (16) shall apply to a petition filed under this subsection (k).

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Akbari moved that **House Bill No. 873**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	92
Noes .....	0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following members desire to change their original stand from "not voting" to "aye" on **House Bill No. 873** and have this statement entered in the Journal: Reps. Lollar and Miller.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

**\*House Bill No. 58** -- Public Records - As introduced, requires a records custodian, if that records custodian requires a request for copies of public records to be in writing, to accept a handwritten request submitted in person or by mail, an email request, or a request on an electronic form submitted online; requires a request for a records request form to be provided by the most expeditious means possible. - Amends TCA Title 10, Chapter 7, Part 5. by \*Rogers, \*Daniel. (SB464 by \*Bell)

**Senate Amendment No. 1**

AMEND House Bill No. 58 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 10-7-503, is amended by deleting subdivision (a)(7)(A) and substituting instead the following:

(i) A governmental entity shall not require a written request or assess a charge to view a public record unless otherwise required by law. Requests to view public records may be submitted in person or by telephone, fax, mail, or email if the governmental entity uses such means of communication to transact official business, or via internet portal if the governmental entity maintains an internet portal that is used for accepting public records requests.

(ii) A governmental entity may require a request for copies of public records to be:

(a) In writing;

(b) On a form that complies with § 10-7-503(c); or

(c) On a form developed by the office of open records counsel.

(iii) If a governmental entity does not require a request for copies to be in writing or on a form in accordance with subdivision (a)(7)(A)(ii), then a request for copies of public records may be submitted as provided in subdivision (a)(7)(A)(i).

(iv) If a governmental entity requires a request to be in writing under subdivision (a)(7)(A)(ii)(a), the records custodian of the governmental entity shall accept any of the following:

(a) A request submitted in person or by mail;

(b) An email request if the governmental entity uses email to transact official business; and

(c) A request submitted on an electronic form via internet portal if the governmental entity maintains an internet portal that is used for accepting public records requests.

(v) If a governmental entity requires that a request for copies of public records be made on a form as provided in subdivision (a)(7)(A)(ii), then the governmental entity shall provide such form in the most expeditious means possible when the form is requested.

(vi) A governmental entity may require any person making a request to view or make a copy of a public record to present a government-issued photo identification, if the person possesses photo identification, that includes the person's address. If a person does not possess photo identification, the governmental entity may require other forms of identification acceptable to the governmental entity.

(vii) Notwithstanding any other law to the contrary:

(a) If a person makes two (2) or more requests to view a public record within a six-month period and, for each request, the person fails to view the public record within fifteen (15) business days of receiving notification that the record is available to view, the governmental entity is not required to comply with any public records request from the person for a period of six (6) months from the date of the second request to view the public record unless the governmental entity determines failure to view the public record was for good cause; and

(b) If a person makes a request for copies of a public record and, after copies have been produced, the person fails to pay to the governmental entity the cost for producing such copies, the governmental entity is not required to comply with any public records request from the person until the person pays for such copies; provided, that the person was provided with an estimated cost for producing the copies in accordance with subdivision (a)(7)(C)(ii) prior to producing the copies and the person agreed to pay the estimated cost for such copies.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

Rep. Rogers moved that the House concur in Senate Amendment No. 1 to **House Bill No. 58**, which motion prevailed by the following vote:

Ayes ..... 97  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar,

Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

### **JOURNAL CORRECTION**

Without objection, the Speaker requested that the Journal reflect that Rep. Parkinson voted "aye" on the motion to concur in Senate Amendment No. 1 to **House Bill No. 58**.

### **MESSAGE CALENDAR, CONTINUED**

#### **HOUSE ACTION ON SENATE AMENDMENTS**

**House Bill No. 192** -- Education - As introduced, modifies current language from requiring full fire drills to occur once in the first 30 days of the school year and one every two months to require such drills to occur four times each year with the first one occurring in the first 14 full school days and the remaining to occur unannounced. - Amends TCA Title 49 and Title 68, Chapter 102, Part 1. by \*Sanderson. (\*SB136 by \*Jackson)

Rep. Sanderson moved that the House non-concur in Senate Amendment No. 1 to House Bill No. 192, which motion prevailed.

#### **HOUSE ACTION ON SENATE AMENDMENTS**

**\*House Bill No. 752** -- Orders of Protection - As introduced, permits a person who is granted an order of protection and who is not otherwise prohibited from purchasing, possessing, or transporting a firearm to carry a handgun for 60 days after the initial order of protection is issued. - Amends TCA Title 36, Chapter 3, Part 6 and Title 39, Chapter 17, Part 13. by \*Goins, \*Moody, \*White D, \*Littleton, \*Weaver, \*Rogers, \*Hazlewood, \*Butt, \*Harwell, \*Lynn, \*Hardaway, \*Terry, \*Gant. (SB983 by \*Gresham, \*Stevens, \*Bowling, \*Massey)

Rep. Goins moved that the House non-concur in Senate Amendment No. 1 to House Bill No. 752, which motion prevailed.

### **UNFINISHED BUSINESS**

#### **RULES SUSPENDED**

Rep. Casada moved that the rules be suspended in order to allow **House Bill No. 419** to be heard in the Consumer and Human Resources Subcommittee and if favorably considered to be heard in the Consumer and Human Resource Committee this week, which motion prevailed.

### BILLS WITHDRAWN

On motion of Rep. Swann, **House Bill No. 582** was recalled from the Finance, Ways & Means Committee and withdrawn from the House.

### APPOINTMENTS

The Speaker appointed the following to the House Study Subcommittee, Representative McDaniel as chair, Representatives Hicks, Fitzhugh, Love, McCormick and Sargent.

### SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 463** Reps. Love, Van Huss, Camper, McCormick, Fitzhugh, Thompson, Halford, Forgety, Carter, Windle, Rogers, Crawford, Eldridge, Whitson, M. Hill, DeBerry and D. White as prime sponsors.

**House Bill No. 625** Reps. Hardaway, Staples, Thompson and Camper as prime sponsors.

**House Bill No. 752** Rep. Carter as prime sponsor.

**House Bill No. 1061** Rep. K. Brooks as prime sponsors.

**House Bill No. 1075** Rep. C. Sexton as First prime sponsor.

**House Bill No. 1076** Rep. Lamberth as prime sponsor.

**House Bill No. 1141** Rep. Sargent as prime sponsor.

**House Bill No. 1381** Rep. Whitson as prime sponsor.

### SPONSORS REMOVED

On Motion, Rep. Faison was removed as sponsor of **House Bill No. 274**.

On Motion, Rep. Powell was removed as sponsor of **House Bill No. 1289**.

**ENROLLED BILLS  
April 17, 2017**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 147, 644, 872, 1103, 1161, 1419, 1420 and 1422; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS  
April 17, 2017**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250 and 251; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED  
April 17, 2017**

The Speaker announced that she had signed the following: House Joint Resolutions Nos. 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250 and 251.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE  
April 17, 2017**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250 and 251; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK  
April 17, 2017**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250 and 251; for his action.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE  
April 17, 2017**

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 29, 77, 150, 527, 577, 636, 733 and 1392; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**

**April 17, 2017**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 24, 116, 256, 389, 665, 676, 1238 and 1322; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED**

**April 17, 2017**

The Speaker announced that she had signed the following: Senate Bills Nos. 24, 116, 256, 389, 665, 676, 1238 and 1322.

TAMMY LETZLER, Chief Clerk

**SIGNED**

**April 17, 2017**

The Speaker announced that she had signed the following: House Bills Nos. 34, 147, 578, 644, 872, 1103, 1161, 1419, 1420 and 1422.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE**

**April 17, 2017**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 314; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

**Senate Joint Resolution No. 314** -- Memorials, Recognition - St. Paul's Episcopal Church, 125th anniversary. by \*Ketron.

**MESSAGE FROM THE SENATE**

**April 17, 2017**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 252, 253, 254, 255, 256, 257, 258, 259, 260, 261 and 262; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**

**April 17, 2017**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 615; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**

**April 17, 2017**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 589; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**

**April 17, 2017**

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 18, 376, 396, 646, 906 and 922; substituted for Senate Bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**

**April 17, 2017**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 298, 311, 330, 429, 489, 523, 571, 597, 704, 796, 897, 970, 1060, 1168, 1192, 1209, 1214 and 1267; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**\*Senate Bill No. 298** -- Physicians and Surgeons - As introduced, prohibits certain adverse actions against a physician on the basis of the physician's failure to maintain specialty board certification or maintenance of licensure under a framework established by the Federation of State Medical Boards. - Amends TCA Title 33; Title 56, Chapter 7; Title 63, Chapter 6; Title 63, Chapter 9 and Title 68. by \*Briggs, \*Overbey, \*Haile, \*Dickerson, \*Bowling. (HB413 by \*Williams, \*Hawk, \*Eldridge, \*White M, \*Jernigan, \*Howell, \*Staples, \*Coley, \*Terry, \*Holsclaw, \*Thompson)

**\*Senate Bill No. 311** -- Juvenile Offenders - As introduced, permits juvenile court to transfer a juvenile under 16 years of age to a criminal court of competent jurisdiction to be tried as an adult for committing an act of terrorism. - Amends TCA Section 37-1-134 and Title 39, Chapter 13, Part 8. by \*Lundberg. (HB402 by \*Hicks)

**\*Senate Bill No. 330** -- Wine & Wineries - As introduced, authorizes wineries and farm wineries to purchase or import finished wine product and use or dispose of the finished wine product in any manner otherwise authorized for the use or disposal of wine manufactured, bottled, or produced by a winery or farm winery. - Amends TCA Section 57-3-207. by \*Johnson. (HB547 by \*Wirgau)

**Senate Bill No. 429** -- Drugs, Prescription - As introduced, establishes a prescription drug donation repository program. - Amends TCA Title 56; Title 63 and Title 68. by \*Kelsey. (\*HB137 by \*Sexton C, \*Terry)



**\*Senate Bill No. 489** -- Medical Occupations - As introduced, enacts the "Kenneth and Madge Tullis, MD, Suicide Prevention Training Act." - Amends TCA Title 33; Title 63 and Title 68. by \*Briggs, \*Massey. (HB948 by \*Whitson, \*Powell, \*Sargent, \*Casada, \*DeBerry, \*Littleton, \*Gilmore, \*Camper, \*Akbari, \*Staples, \*Hawk, \*Mitchell, \*Hardaway, \*Kane, \*Matheny, \*Jernigan, \*Kumar, \*Clemmons, \*Ragan, \*Butt, \*Ramsey, \*Jones, \*Favors, \*Holsclaw)

**\*Senate Bill No. 523** -- Nurses, Nursing - As introduced, modifies the relationship between an advanced practice registered nurse and a physician in regards to reporting of certain controlled substances to be a relationship based on collaboration rather than supervision. - Amends TCA Title 63 and Title 68. by \*Massey. (HB756 by \*Favors)

**\*Senate Bill No. 571** -- Education - As introduced, re-designates the "Tennessee Baccalaureate Education System Trust Act" as the "Tennessee College Savings Trust Act" and replaces the TSAC director with a state university president as a member of the program's board of trustees; transfers trusteeship of the chairs of excellence endowment fund from the state school bond authority to a new board. - Amends TCA Title 4, Chapter 29; Title 35; Title 49, Chapter 7, Part 5; Title 49, Chapter 7, Part 8; Title 55; Title 65 and Title 67. by \*Gresham. (HB1057 by \*Brooks H)

**\*Senate Bill No. 597** -- Disabled Persons - As introduced, allows disabled adults to have paid personal aides to perform health maintenance tasks for them. - Amends TCA Title 63; Title 68 and Title 71. by \*Haile. (HB968 by \*Hill M, \*Jones, \*Jernigan, \*Gilmore)

**\*Senate Bill No. 704** -- TennCare - As introduced, enacts the "Ground Ambulance Service Provider Assessment Act." - Amends TCA Title 56; Title 68 and Title 71. by \*Yager, \*Watson, \*Haile, \*Bell, \*Crowe, \*Harris. (HB879 by \*Reedy, \*Lamberth, \*Powers, \*Hill T, \*Brooks K, \*Gant, \*Howell, \*Byrd)

**Senate Bill No. 796** -- Alcoholic Beverages - As introduced, allows a winery in Davidson County to also own or operate a retail package store upon meeting certain qualifications. - Amends TCA Title 57. by \*Dickerson. (\*HB155 by \*Hazlewood)

**\*Senate Bill No. 897** -- Local Education Agencies - As introduced, increases from \$10,000 to \$25,000 the threshold at which an LEA must seek competitive bids for purchases; increases from \$10,000 to \$100,000 the threshold if the LEA has a separate purchasing division; changes solicitation requirements for bids above the threshold. - Amends TCA Section 12-3-1212 and Title 49, Chapter 2. by \*Johnson. (HB1379 by \*Sargent)

**\*Senate Bill No. 970** -- Emergency Communications Districts - As introduced, authorizes purchase of insurance to protect against breach of duty by emergency communications officials and employees in lieu of surety bond. - Amends TCA Title 7 and Title 8. by \*Niceley. (HB1076 by \*Sexton J, \*Byrd)

**Senate Bill No. 1060** -- State Employees - As introduced, increases time the appointing authority has to appoint one of the applicants after being referred a list of eligibles from within 30 days to within 45 days. - Amends TCA Title 4; Title 8 and Title 49. by \*Massey, \*Lundberg. (\*HB1015 by \*Brooks H, \*Carter)

**Senate Bill No. 1168** -- Children's Services, Dept. of - As introduced, requires the department to maintain case manager staffing levels so that case manager caseloads do not exceed more than 20 active cases relating to initial assessments or more than 20 children monitored and supervised per case manager. - Amends TCA Title 37, Chapter 5. by \*Hensley, \*Harris. (\*HB972 by \*Rogers)

**Senate Bill No. 1192** -- Securities - As introduced, makes various changes to the regulation of securities under the Tennessee Securities Act of 1980, such as granting the commissioner of commerce and insurance authority to restrict certain exemptions, increasing penalties for violations wherein senior citizens and adults with certain mental or physical dysfunctions are victims, and altering filing and renewal requirements. - Amends TCA Title 48, Chapter 1, Part 1. by \*Norris, \*Gardenhire, \*Crowe, \*Bowling. (\*HB304 by \*Hawk, \*Casada, \*Curcio, \*Matheny)

**Senate Bill No. 1209** -- State Government - As introduced, authorizes administrative departments to obtain criminal history background checks on all employees and contractors with access to federal tax information; requires employees and contractors to make certain disclosures; requires departments or contractors to pay incurred costs; requires departments to establish written policies related to background check investigations; and authorizes department chief executives to designate the job titles or classifications subject to the background check requirement. - Amends TCA Title 4, Chapter 3, Part 1. by \*Norris, \*Lundberg. (\*HB319 by \*Hawk, \*Casada, \*Lamberth)

**Senate Bill No. 1214** -- Workers Compensation - As introduced, removes the requirement that sole proprietors and partners must provide notice to the bureau of workers' compensation when electing to be included under the workers' compensation law; renames the second injury fund to subsequent injury and vocational recovery fund and authorizes the bureau to use money from the fund to provide vocational recovery assistance to employees with certain limitations; and revises various procedural provisions regarding appeals of workers' compensation orders. - Amends TCA Section 9-8-307; Section 29-20-401 and Title 50, Chapter 6. by \*Norris, \*Johnson. (\*HB325 by \*Hawk, \*Casada, \*Eldridge, \*Pody)

**Senate Bill No. 1267** -- Financial Institutions, Dept. of - As introduced, requires the department to consult with financial service providers, the Tennessee commission on aging and disability, and the department of human services to consider ways in which the entities can collaborate to promote education and awareness of the dangers to vulnerable adults of financial exploitation and financial theft and explore preventative measures that can be taken by vulnerable adults to avoid such dangers. - Amends TCA Title 39; Title 45; Title 47, Chapter 30; Title 48, Chapter 1 and Title 71, Chapter 6. by \*Norris, \*Crowe, \*Massey, \*Bowling, \*McNally. (\*HB1064 by \*Brooks K, \*Jernigan, \*Byrd, \*Howell, \*Gilmore)

**ROLL CALL**

The roll call was taken with the following results:

Present..... 93

Representatives present were Akbari, Alexander, Beck, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 93

**RECESS**

On motion of Rep. Casada, the House stood in recess until 9:00 a.m., Wednesday, April 19, 2017.